

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Susan D. Wigenton  
v. : Crim. No. 15-622 (SDW)  
JUDY TULL and : CONTINUANCE ORDER  
KAY ELLISON :  
:

This matter having come before the Court on application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Andrew Kogan, Assistant U.S. Attorney, appearing), defendant Judy Tull (Clint Smith, Esq., appearing), and Kay Ellison (Jim Lees, Esq., appearing) for an order scheduling the trial in this matter for January 10, 2017, and for the purposes of computing and excluding time pursuant to Title 18, United States Code, Section 3161(h)(7)(A) and (h)(7)(B); the defendants having consented to the entry of this Order, and the defendants being aware that absent such an Order they would have the right to brought to trial within 70 days of their appearance before a Judicial Officer in this District in connection with this matter or the filing of an Indictment, whichever date last occurred, pursuant to Title 18, United States Code, Section 3161(c)(1); and the trial being presently set for September 13, 2016, and the Court having recently ruled on the defendants' motion to amend the Discovery Order in this matter, and the defendants having submitted subpoenas to the Court, which will then have to be served on the parties, which subpoena returns the defense counsel have stated they intend to provide to the Government in discovery, and the parties recognizing the Court has another

matter scheduled for trial on September 12, 2016, and the parties desiring certainty as to the trial date in order to effectively prepare for trial, including noticing and preparing witnesses, travel concerns, and the continuity of counsel, and the Court having found that an Order granting a continuance of the proceedings in the above-captioned matter should be entered in the interests of justice, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. This case is presently set for September 13, 2016.
2. The defendants are presently engaged in obtaining and producing discovery, which it is anticipated will be voluminous.
3. The parties desire to have a date certain set for trial in order to ensure continuity of counsel and effective preparation for trial, including but not limited to the preparation of witnesses and the availability of witnesses.
4. In light of these findings, the grant of a continuance is in the interest of justice as it will enable defense counsel to obtain voluminous discovery which will then be reviewed by the parties and allow counsel to have a date certain for trial at this time which they prefer for, among other reasons, continuity of counsel and effective preparation for trial.
5. The Court finds that the defendants have entered into a knowing, voluntary, and intelligent waiver of her rights under the Speedy Trial Act of 1974.

6. Pursuant to Title 18, United States Code, Section 3161(h)(7),  
the ends of justice served by granting a continuance outweigh the best interests  
of the public and the defendants in a speedy trial.

WHEREFORE, it is on this 1<sup>st</sup> day of June 2016

ORDERED that trial in this matter shall commence on January 10,  
2017 at 9:30 a.m.; and it is further

ORDERED that the period between the date of this Order and  
January 10, 2017, shall be excluded in computing time under the Speedy Trial  
Act of 1974 pursuant to the provisions of Title 18, United States Code, Section  
3161(h)(7)(A); and it is further

ORDERED that the Court will hold a status conferences on  
11<sup>th</sup> 2016, at 10:00 a.m., at which time the Court shall, among other  
things, hear the parties on matters they wish to discuss, set a schedule for  
motion practice, if needed, and set a schedule for the submission of other  
documents, such as jury instructions and voir dire requests; and it is further

ORDERED that all other provisions of the Court's Order for  
Discovery and Inspection not superseded by this Order shall remain in full force  
and effect.

HON. SUSAN D. WIGENTON  
United States District Judge